



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

JUN 06 2019

The Honorable Elijah E. Cummings
Chairman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Cummings:

We write regarding the Committee on Oversight and Reform's (Committee) June 3, 2019 letter to the Department of Justice (Department) stating that the Committee intends to schedule a vote on a resolution to hold the Attorney General in contempt of Congress based on the Department's response to Committee requests for documents and testimony regarding the reinstatement of a citizenship question on the 2020 United States Census. The Committee's action is premature and we are disappointed by the Committee's mischaracterization of the Department's continued and ongoing efforts to accommodate the Committee's oversight interests.

Since receiving the Committee's February 12, 2019 document request, and the April 2, 2019 subpoena that followed, the Department has sought to identify and to produce responsive documents and information to the Committee. Specifically, the Department has made eight submissions to the Committee in its ongoing, rolling document production totaling more than 17,000 pages (productions on February 25, 2019, March 15, 2019, March 29, 2019, April 11, 2019, April 16, 2019, April 26, 2019, May 10, 2019, and May 24, 2019). The Department has also identified tens of thousands more responsive pages that it is in the process of producing. At the same time, the Department has made two senior officials available for transcribed interviews by Committee staff. Last week, on May 30, 2019, Gene Hamilton, Counselor to the Attorney General, spent several hours answering all of the Committee's questions regarding the reinstatement of the citizenship question on the 2020 Census. Prior to that, John Gore, Principal Deputy Assistant Attorney General for the Civil Rights Division, voluntarily testified before the Committee on May 18, 2018 and appeared for a lengthy transcribed interview on March 7, 2019.

Despite the Department's significant and ongoing efforts to accommodate the Committee's requests, your June 3 letter alleges lack of compliance by the Attorney General based on (1) the Committee's dissatisfaction with the Department's ongoing document production; and (2) the Attorney General's instruction that Mr. Gore not appear before the Committee for a third time, for a deposition, unless the Committee allows him to be accompanied by Department counsel.

Let us address first the Attorney General's instruction concerning Mr. Gore's appearance. The Committee's oversight inquiries relate to Executive Branch decision-making. As we